

**CHAPTER NO. 37**

**SENATE BILL NO. 1023**

**By Ford**

Substituted for: House Bill No. 634

By Arriola, Cooper

AN ACT To amend Tennessee Code Annotated, Title 50, Chapter 3, relative to occupational safety and health.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 50-3-203, is amended by adding a new subsection thereto, as follows:

( ) (1) Where appropriate, such standards shall reduce the transmission of bloodborne pathogens through needles. The Commissioner of Labor and the Commissioner of Health shall jointly review sharps injury prevention technology to include needleless systems and needles with engineered sharps injury protection.

(2) The commissioners shall jointly determine those environments where standards require that sharps injury prevention technology be employed. Sharps injury prevention technology shall not be required wherever the employer or other appropriate party demonstrates that such technology is medically contraindicated or is not more effective than alternative measures used by an employer to prevent exposure incidents.

(3) Any such standard shall require written exposure control plans be adopted by employers. Written exposure control plans shall be revised to reflect improvements in sharps prevention technology. Written exposure control plans shall include the type and brand of device used in an incident of exposure.

( ) (4) The Department of Labor and the Department of Health shall jointly compile and maintain a list of existing needleless systems and sharps with engineered sharps injury protection, which shall be available to assist employers in complying with the requirements of the bloodborne pathogen standards promulgated pursuant to this section. The list may be developed from existing sources of information, including, but not limited to, the federal Food and Drug Administration, the federal Centers for Disease Control, the National Institute for Occupational Safety and Health, and the United States Department of Veterans Affairs.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: March 17, 1999

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 19th day of March 1999

  
DON CONQUIST, GOVERNOR